



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 2196-98
5 July 2000

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149
(2) BUMED ltr 6320 Ser 03AT/99U114000697. 22 Dec 99
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that his naval record be corrected to show that he was retained on active duty for evaluation and treatment of malignant melanoma in situ, and that he be accorded follow-up examination by a Navy dermatologist, as well as biopsies of any other abnormal moles he may have.

2. The Board, consisting of Ms. Schnittman and Messrs. Ensley and Pauling, reviewed Petitioner's allegations of error and injustice on 22 June 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Enclosure (1) was filed in a timely manner.

c. In correspondence attached as enclosure (2), the Assistant Chief for Health Care Operations, Bureau of Medicine and Surgery, recommended that Petitioner's record be corrected to show that he was retained on active duty during the 1-18 September 1997 period, for treatment of malignant melanoma in situ, which was incurred while he was on active duty, and that he be authorized reimbursement of the \$772.00 in medical expenses he incurred for treatment of that condition during the aforementioned period. The author of the opinion noted that there was no indication that the condition would have required a medical

board. He recommended that Petitioner seek follow-up care from the Department of Veterans Affairs.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

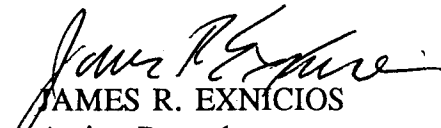
a. That Petitioner's naval record be corrected to show that he was retained on active duty during the 1-18 September 1997 period, for treatment of malignant melanoma in situ, which was incurred while he was on active duty, and that he be authorized reimbursement of the \$772.00 in medical expenses he incurred for treatment of that condition during the aforementioned period.

b. That so much of Petitioner's request for correction naval record as exceeds the foregoing be denied.

c. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


JAMES R. EXNICIOS
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


W. DEAN PFEIFFER
Executive Director